

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No.04-305
Table of Allotments,)	RM-10980
FM Broadcast Stations)	
Oak Harbor, Washington)	

To: Chief, Policy and Rules Division, Media Bureau

REPLY COMMENTS

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Jodesha Broadcasting, Inc. ("Jodesha"), by its attorney, hereby replies Comments on Notice of Proposed Rulemaking and Counterproposal ("Comments and Counterproposal") that were filed in the above-captioned rulemaking proceeding by Bible Broadcasting Network, Inc. ("BBN") on September 30, 2004.

In the Comments and Counterproposal, BBN states incorrectly that the proposal to allot Channel 289A to Oak Harbor will bring a first local service to that community. As pointed out in the Counterproposal that Jodesha filed in this proceeding on September 29, 2004, Oak Harbor currently receives local service from Station KWDB. Accordingly, Jodesha's Counterproposal to assign Channel 289A to Sedro-Woolley, Washington, as that community's first local service is to be preferred over the proposals to allot the channel to Oak Harbor, *Revision of FM Priorities*, 90 FCC 2d 88 (1982), a preference which is not affected by BBN's proposal that the channel be allotted to Oak Harbor with a non commercial reservation. *Reexamination of the Comparative Standard for Noncommercial Educational Applicants*,

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FCC 03-44 released April 10, 2003 at ¶38 ("Conflicts between mutually exclusive allotments for different communities when a party has made the two-part reservation showing with respect to one community will be resolved under established Section 307(b) precedent.")

Respectfully submitted,


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Inc.**

Date: October 13, 2004

CERTIFICATE OF SERVICE

I, David Tillotson, do hereby certify that a copy of the foregoing **Reply Comments** have been sent via first class United States mail, postage pre-paid, this 13th day of October 13, 2004, to:

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